

09/702,466  
69,010-237



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Denen et al.  
Serial No.: 09/702,466 Group Art Unit: 2837  
Filed: 10/31/2000 Examiner: Leykin, R.  
For: CONTROL AND MOTOR ARRANGEMENT FOR USE IN  
MODEL TRAIN  
Docket. No.: 69,010-237 Customer No.: 26127

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**REQUEST FOR CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Dear Madam:

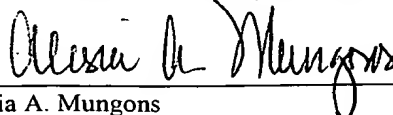
Applicants submit this Request for Correction of Inventorship pursuant to 37 C.F.R. § 1.48(a) in order to correct an error in the originally named inventorship of the above-identified application. Specifically, Applicants respectfully request that Martin Pierson and Robert Grubba be added as inventors of the subject matter claimed in this application.

Enclosed herewith are Statements of Martin Pierson and Robert Grubba in Support of Request for Correction of Inventorship Under 37 C.F.R. § 1.48(a) stating that the error in inventorship occurred without deceptive intention on their parts, a declaration executed by the actual inventors, and the written consent of the assignee, Lionel L.L.C., to the change in inventorship, all in compliance with 37 C.F.R. § 1.48(a)(2)-(3) and (5).

**CERTIFICATE OF EXPRESS MAIL**

Express Mail Label No. EU936173271US  
Date of Deposit: January 9, 2004

I hereby certify that this *Request for Correction of Inventorship Under 37 C.F.R. § 1.48(a)* is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

  
Alesia A. Mungons

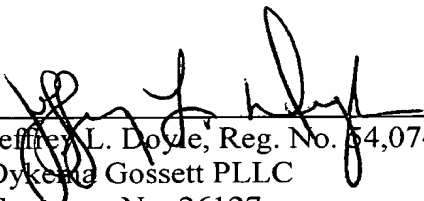
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JAN 15 2004  
TECHNOLOGY CENTER 2800

09/702,466  
69,010-237

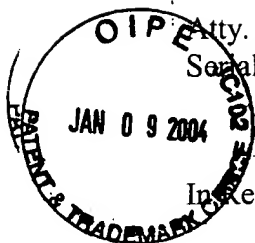
The Commissioner is hereby authorized to charge the \$130.00 fee presently due in connection with this Request under 37 C.F.R. § 1.17(i) in compliance with 37 C.F.R. § 1.48(4), to Deposit Account No. 04-2223. The Commissioner is further authorized to charge any deficiency, or credit any overpayment, to Deposit Account 04-2223. A duplicate copy of this Request is enclosed.

Respectfully submitted,

Date: January 9, 2004

By:   
Jeffrey L. Doyle, Reg. No. 54,074  
Dykema Gossett PLLC  
Customer No. 26127  
39577 Woodward Avenue, Suite 300  
Bloomfield Hills, Michigan 48304  
(248) 203-0782  
jdoyle@dykema.com

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IDJLDO



Atty. Docket No. 69,010-237

Serial No. 09/702,466

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Denen et al.

Serial No.: 09/702,466 Group Art Unit: 2837

Filed: 10/31/2000 Examiner: Leykin, R.

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Atty. Dkt. No. 69,010-237

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JAN 15 2004

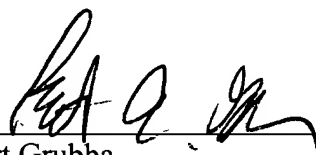
RECEIVED

STATEMENT OF ROBERT GRUBBA IN SUPPORT OF REQUEST FOR  
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Dear Madam:

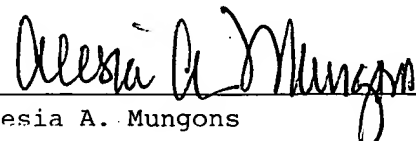
I, the undersigned, do hereby state that the error in inventorship (i.e., the failure to identify the undersigned as an inventor of the above-captioned application) occurred without deceptive intention on my part.

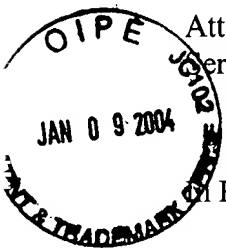
Date: 12-3-03

  
Robert Grubba

Certificate of Express Mailing

I hereby certify that this Statement of Robert Grubba in Support of Request for Correction of Inventorship Under 37 C.F.R. §1.48(a) is being deposited with the United States Postal Service as Express Mail No. EU936173271US, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this 9th day of January, 2004.

  
Alesia A. Mungons



Atty. Docket No. 69,010-237

Serial No. 09/702,466

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re application of: Denen et al.

Serial No.: 09/702,466 Group Art Unit: 2837

Filed: 10/31/2000 Examiner: Leykin, R.

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Atty. Dkt. No. 69,010-237

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF MARTIN PIERSON IN SUPPORT OF REQUEST FOR  
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)**

Dear Madam:

I, the undersigned, do hereby state that the error in inventorship (i.e., the failure to identify the undersigned as an inventor of the above-captioned application) occurred without deceptive intention on my part.

Date: 12/1/03

  
Martin Pierson

**Certificate of Express Mailing**

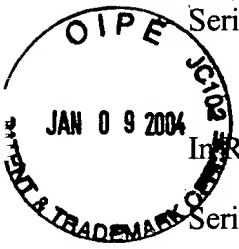
I hereby certify that this Statement of Martin Pierson in Support of Request for Correction of Inventorship Under 37 C.F.R. §1.48(a) is being deposited with the United States Postal Service as Express Mail No. EU936173271US, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this 9<sup>th</sup> day of January, 2004.

  
Alesia A. Mungons

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Serial No. 09/702,466



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In Re application of: Denen et al.

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Examiner: Leykin, R.

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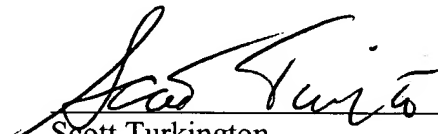
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JAN 15 2004  
TECHNOLOGY CENTER 2800

WRITTEN CONSENT OF ASSIGNEE IN SUPPORT OF REQUEST FOR  
CORRECTION OF INVENTORSHIP UNDER 37 C.F.R. §1.48(a)

Dear Madam:

Lionel L.L.C., as assignee of record of the above-identified application by virtue of an assignment filed on June 11, 2003, a copy of which is attached hereto under Exhibit A, from the original named inventors Dennis Denen, Neil Young and Gary Moreau, hereby declares its consent to the requested correction of inventorship adding Martin Pierson and Robert Grubba as inventors.

Date: 12-17-03

  
Scott Turkington  
Chief Financial Officer

Certificate of Express Mailing

I hereby certify that this Written Consent of Assignee in Support of Request for Correction of Inventorship Under 37 C.F.R. §1.48(a) is being deposited with the United States Postal Service as Express Mail No. EU936173271US, postage prepaid, in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this 09th day of January, 20 04.

  
Alesia A. Mungons

ASSIGNMENT  
(Joint Inventors)

WHEREAS, We, Dennis Joseph Denen, Neil P. Young, and Gary Louis Moreau (hereinafter referred to as Assignors), residing at 1167 Oak Bluff Court, Westerville, OH 43081, 3240 Bear Gulch Road, Redwood City, CA 94062, and 929 Loggers Circle, Rochester, MI 48307, have invented new and useful improvements in:

**CONTROL AND MOTOR ARRANGEMENT FOR USE IN MODEL TRAIN**

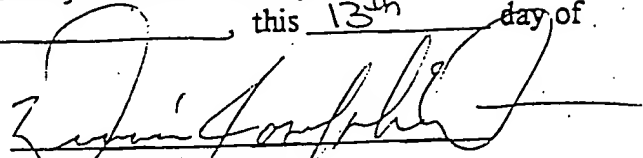
which is set forth in an application for Letters Patent in the United States executed on even date herewith;

AND WHEREAS, Lionel, LLC, (hereinafter referred to as Assignee), of 50625 Richard W. Blvd., Chesterfield, Michigan 48051, is desirous of acquiring the entire right, title and interest in and to said invention and said application for Letters Patent of the United States, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon:

NOW, THEREFORE, be it known by all whom it may concern, that for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the Assignors have assigned, sold and set over, and by these present assigns, sells and sets over unto the Assignee, its successors, legal representatives and assigns, for the territory of the United States of America and all foreign countries, the entire right, title and interest in and to said invention, said application for Letters Patent, including the right to file foreign patent applications corresponding to said application, and the right to claim the priority date of said United States patent application and any legal equivalents thereof, and any and all Letters Patent or Patents in the United States of America and all foreign countries which may be granted therefor and thereon, and to any and all divisions, continuations, and continuations-in-part of said application, or re-issues or extensions of said Letters Patent or Patents prepared and executed by Assignors on even date herewith, the same to be held and enjoyed by the Assignee, as fully and entirely as the same would have been held by the Assignor had this Assignment and sale not been made.

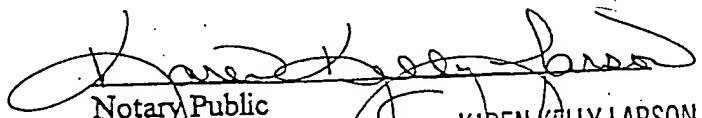
AND the Assignors hereby covenant and agree that the Assignors will at any time upon the request and at the expense of the Assignee execute and deliver any and all papers and do all lawful acts that may be necessary or desirable to perfect the title to said invention and to obtain Letters Patent therefor, and the Assignor hereby authorize and requests the Commissioner of Patents to issue said Letters Patent to the Assignee in accordance with this Agreement.

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my seal at  
Fitch, Inc, in the State of Ohio, this 13<sup>th</sup> day of  
November, 1998.

  
 Dennis Joseph Denen

STATE OF Ohio )  
 )  
 COUNTY OF Franklin )

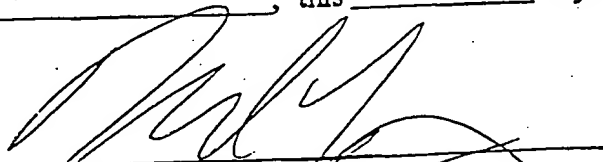
Before me personally appeared said Dennis Joseph Denen and acknowledged the  
 foregoing instrument to be his own free act and deed, this 13 day of November,  
 1998.

  
 Notary Public

KAREN KELLY LARSON  
 NOTARY PUBLIC, STATE OF OHIO  
 MY COMMISSION EXPIRES SEPT. 29, 2003

SEAL

IN TESTIMONY WHEREOF, I hereunto set my hand and affix my seal at  
 \_\_\_\_\_, in the State of \_\_\_\_\_, this \_\_\_\_\_ day of  
 \_\_\_\_\_, 1998.

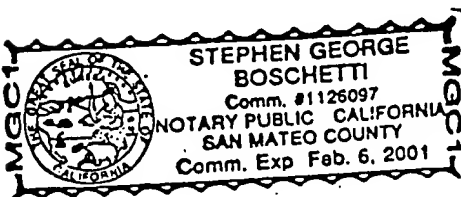
  
 Neil P. Young

STATE OF CALIFORNIA )  
 )  
 COUNTY OF SAN MATEO )

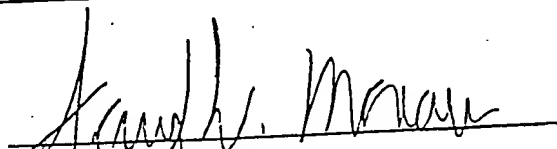
Before me personally appeared said Neil P. Young and acknowledged the  
 foregoing instrument to be his own free act and deed, this 30 day of November 1998,  
 1998.

  
 Notary Public

SEAL

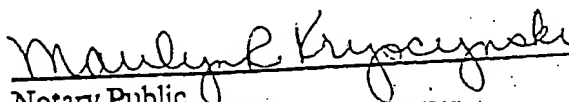


IN TESTIMONY WHEREOF, I hereunto set my hand and affix my seal at \_\_\_\_\_, in the State of \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

  
 Gary Louis Moreau

STATE OF Michigan;  
 COUNTY OF Macomb;

Before me personally appeared said \_\_\_\_\_, and acknowledged the foregoing instrument to be his own free act and deed, this 4th day of November, 1998.

  
 Notary Public  
 MARILYN R. KRYSCYNSKI  
 Notary Public, Macomb County, MI  
 My Commission Expires June 26, 1999

SEAL

Please address all correspondence and telephone calls and, upon recordation, please return this document to:

Michael B. Stewart, Esq.  
 RADER, FISHMAN & GRAUER PLLC  
 1533 N. Woodward Avenue, Suite 140  
 Bloomfield Hills, Michigan 48304  
 (248) 594-0600